

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10510 of 2025

Arising Out of PS. Case No.-227 Year-2023 Thana- SAMASTIPUR District- Samastipur

Baidhnath Ray @ Baidyanath Ray @ Baijnath Ray Son of Sri Gulab Ray
village- Ward no. 2, Purnahi, Ps- Warisnagar, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satyabir Bhashi, Sr. Advocate
	:	Mr. Abhishek Anand, Advocate
	:	Mr. Kanupriya Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Samastipur Town P.S. case No. 227 of 2023, instituted for the offences under Sections 324, 326, 307, 120B, 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

3. Prosecution case, in short, is that accused persons of different cases were being brought for production in the Court and during the course of returning, some miscreants started firing which hit two of the accused persons, as a result they sustained injuries.



4. Learned counsel for the petitioner submitted that petitioner has falsely been implicated in the present case merely on suspicion. Petitioner is not named in the FIR, however, the name of the petitioner surfaced during investigation on the basis of confessional statements of the co-accused Md. Obbais Khan, Ram Babu Rai and Shashi Ranjan Thakur @ Golu. Learned counsel further submitted that no specific overt act is alleged against the petitioner. Nothing incriminating has been recovered from the possession of the petitioner. Petitioner is in custody since 09.12.2024 and has nine criminal antecedents as per paragraph-3 of the bail application. The co-accused person has already been granted bail by this Court vide order dated 12.07.2024 passed in Cr. Misc. No. 47743 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Samastipur Town
P.S. case No. 227 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the
witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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